### STATE OF NORTH DAKOTA

#### PUBLIC SERVICE COMMISSION

Public Service Commission Rural Telephone Company High Cost Support PSC Comments/Letters RECEIVED

SEP 2 1 2001

**ORDER** 

FCC MAIL ROOM

September 19, 2001

On May 23, 2001, the Federal Communications Commission (FCC) released its Fourteenth Report and Order, Twenty-Second Order on Reconsideration, and Further Notice of Proposed Rulemaking in CC Docket No. 96-45, and Report and Order in CC Docket No. 00-256 (Fourteenth R&O). In the Fourteenth R&O the FCC modified its rules for providing high-cost universal service support to rural telephone companies for the next five years based upon the proposals made by the Rural Task Force.

On July 26, 2001, the North Dakota Public Service Commission (NDPSC) issued a notice of informal hearing and request for comments regarding the parties' implementation plans and the nature and extent of the NDPSC's potential involvement in the implementation of the new FCC rules. At the time of the notice, the NDPSC had not yet assigned a case number to this matter. Subsequently, the NDPSC assigned Case No. PU-439-01-460.

On August 15, 2001, the Rural Telephone Company Group (RTCG) filed comments in response to the NDPSC's request. The RTCG is an association of independent telephone companies serving customers in North Dakota's rural areas. On August 16, 2001, Western Wireless Corporation, d/b/a Cellular One (Western Wireless) filed comments limited to discussion of certification issues. These parties also commented at the informal hearing which was held as scheduled on August 22, 2001. No other comments were received.

On August 28, 2001, the NDPSC issued an order indicating that any telecommunications carrier providing local exchange service in North Dakota that desires to have NDPSC certification to the FCC pursuant to 47 C.F.R. §\$54.313 or 54.314 shall file an affidavit with the NDPSC by September 14, 2001, as described in the order, certifying that federal support they receive is used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended as required by Section 254(e). The NDPSC further ordered that affidavits filed with the NDPSC under the August 28, 2001 order will be the basis for the NDPSC's certification to the FCC.

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Following the August 28, 2001 Order affidavits regarding use of universal service support were filed with the NDPSC by the companies listed in the ordering clause below.

#### **Discussion**

With this order, the NDPSC addresses only the state certification issue. Section 254(e) of the Telecommunications Act of 1996 (Act) requires telecommunications carriers to use universal service support "only for the provision, maintenance, and upgrading of facilities and services for which support is intended." The Fourteenth R&O requires that each state public utility regulatory authority file an annual certification with the FCC to ensure that rural telecommunications carriers receiving federal funds under the program use the support only as provided in Section 254(e) of the Act. State certification must be filed no later than October 1 of each year in order for certified telecommunications carriers to received support for the following year. 47 C.F.R. § 54.314(d).

Under North Dakota law, the NDPSC has limited jurisdiction over rural telecommunications carriers. The FCC in its order recognized that some states have only limited regulatory oversight to ensure that federal universal support is reflected in intrastate rates and concluded that such states may nonetheless certify to the FCC that carriers in the state had accounted to the state commission for receipt of federal support, and that the support will be used as required under Section 254(e). (See Fourteenth R&O at ¶ 188). The FCC also recognized that some carriers may not be subject to the jurisdiction of a state regulatory authority, and in those instances carriers can certify directly to the FCC by means of a sworn affidavit executed by a corporate officer attesting to the use of the support only for purposes permitted under the Act. (See Fourteenth R&O at ¶ 189).

Based on the foregoing, the NDPSC issues the following:

#### Order

The NDPSC orders:

1. The NDPSC certifies that the following Eligible Telecommunications Carriers providing local exchange service in North Dakota have accounted to the NDPSC by affidavit that all federal support they receive is used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended as required by Section 254(e), or that they will only use the support they receive during the four quarters of 2002 (and all quarters thereafter) for the provision, maintenance, and upgrading of facilities and services for which the Support is intended pursuant to and consistent with Section 254(e) of the Act and 47 C.F.R. § 54.101 throughout each respective company's study area:

### **LIST OF COMPANIES**

BEK Communications Cooperative Citizens Telecommunications Company of Minnesota, Inc.

Citizens Telecommunications Company of North Dakota, Inc.

Consolidated Telcom Dakota Central Telecom I

Dakota Central Telecommunications
Cooperative
Dickey Rural Communications Inc.
Dickey Rural Telephone Cooperative
Griggs County Telephone Company
Halstad Telephone Company
Inter-Community Telephone Company, LLC

Inter-Community Telephone Company II,
LLC
James Valley Cooperative Telephone
Company
Mid-Rivers Telephone Cooperative Inc.
Midstate Communications Inc
Midstate Telephone Company
Moore & Liberty Telephone Company

Nemont Telephone Cooperative Inc
Noonan Farmers Telephone Company, a
Cooperative Association
North Dakota Telephone Company
Northwest Communications Cooperative
Polar Communications Mutual Aid
Corporation

Polar Telecommunications, Inc.
RC Communications, Inc.
Red River Rural Telephone Association
Red River Telecom, Inc.
Reservation Telephone Cooperative
Roberts County Telephone Cooperative
Association

SRT Communications, Inc.
Sully Buttes Telephone Cooperative, Inc./
Ventura Communications, Inc.
Turtle Mountain Communications
United Telephone Mutual Aid Corporation
West River Cooperative Telephone Company
West River Telecommunications Cooperative
WWC Holding Co., Inc.

- 2. The NDPSC certification is based upon the affidavits filed by the foregoing named Eligible Telecommunications Carriers.
- 3. A copy of each of the filed affidavits is attached to and made a part of this order.

**PUBLIC SERVICE COMMISSION** 

Anthony T. Clark
Commissioner

Susan E/Wefald

.eo M. Reinbold Commissioner

#### STATE OF NORTH DAKOTA

#### **PUBLIC SERVICE COMMISSION**

Public Service Commission Rural Telephone Company High Cost Support PSC Comments/Letters

Case No. PU-439-01-460

#### AFFIDAVIT OF SERVICE BY FEDERAL EXPRESS

STATE OF NORTH DAKOTA COUNTY OF BURLEIGH

Sharon Helbling deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **20th day of September, 2001**, she deposited in the United States Mail, Bismarck, North Dakota, **2** envelopes by FEDERAL EXPRESS, fully prepaid, securely sealed and each containing a photocopy of:

#### Order

The envelopes were addressed as follows:

Magalie R Salas Federal Communications Commission Office of the Secretary 445 12<sup>th</sup> St SW Washington D C 20554 Irene Flannery Universal Service Administrative Company 2120 L St NW Ste 600 Washington D C 20037

Each address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me this <b>20th day of September, 2001</b> .		
	Notary Public	

SEAL

AFFIDAVIT OF JAMES VALLEY COOPERATIVE TELEPHONE COMPANY REGARDING CERTIFICATION OF USE OF FEDERAL UNIVERSAL SERVICE SUPPORT

State of South Dakota	)	RECEIVED
County of Brown	)ss.	SEP 2 1 2001

Doug D. Eidahl, being first duly sworn on oath, does hereby declare and state upon affiant's own personal knowledge as follows:

- 1. Affiant is employed by James Valley Cooperative Telephone Co. (Company) as its general manager.
- 2. The Company is an eligible telecommunications carrier within the meaning of Section 214(e) of the Federal Telecommunications Act of 1996 (the Act), and the Company is eligible to receive federal high-cost universal service support (Support) pursuant to Section 254(e) of the Act. The North Dakota Public Service Commission (NDPSC) has designated the Company as an eligible telecommunications carrier.
- 3. Affiant is personally familiar with all of the Support received by the Company, and with how the Company uses all of the Support that it receives.
- 4. The Company is filing this affidavit in compliance with the order of the Federal Communications Commission (FCC) dated May 23, 2001 in Docket Number 96-45 (FCC 01-157) (the Order) as codified in 47 C.F.R. §54.314, which requires certification to the FCC that all federal Support will be used by the carriers within each state only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, as required by Section 254(e) of the Act and 47 C.F.R. §54.7. The Company is also filing this affidavit in compliance with the Order of the NDPSC dated August 28, 2001 in Case No. PU-439-01-460. This affidavit is filed to facilitate the Company's receipt of federal Support for all four quarters of 2002, and for all quarters thereafter.
- 5. The Company hereby certifies that it will only use the Support that the Company receives during the four quarters of 2002 (and all quarters thereafter) for the provision, maintenance, and upgrading of facilities and services for which the Support is intended pursuant to and consistent with Section 254(e) of the Act and 47 C.F.R. §54.7. The Company will use the Support to support the following services, as designated in 47 C.F.R. §54.101, throughout the Company's study area: (a) voice grade access to the public switched network; (b) local usage; (c) dual-tone multi-frequency signaling or its

functional equivalent; (d) single-party service or its functional equivalent; (e) access to emergency services; (f) access to operator services; (g) access to interexchange service; (h) access to directory assistance; and (i) toll limitation for qualifying low-income consumers

Dated this Aday of September, 2001

JAMES VALLEY COOPERATIVE

TELEPHONE CO.

BY / one

Doug D. Eidahl General Manager

State of South Dakota

)ss.

County of Brown

On this // day of September, 2001, before me, a Notary Public in and for the said County and State, personally appeared Doug Eidahl, known to me to be the Manager of James Valley Cooperative Telephone Company, the corporation that is described in and that executed the within instrument, and acknowledged to me that such corporation executed the same.

WILLIAM R. EWALT SEAL NOTARY PUBLIC SEAL SOUTH DAKOTA

Notary Public For South Dakota

My Commission Expires: July 6 2045

#### AFFIDAVIT OF SULLY BUTTES TELEPHONE COOPERATIVE/VENTURE . COMMUNICATIONS, INC. REGARDING CERTIFICATION OF USE OF FEDERAL UNIVERSAL SERVICE SUPPORT

State of North Dakota )

SEP 1 4 2001

County of

**)55.** 

Randy W. Houdek, being first duly sworn on oath, does hereby declare and state upon the state up affiant's own personal knowledge as follows:

- 1. Affiant is employed by Sully Buttes Telephone Cooperative, Inc./Venture Communications, Inc., (Increinafter, the "Company"), in the position of Manager.
- 2. The Company is an eligible telecommunications carrier within the meaning of Section 214(e) of the Federal Telecommunications Act of 1996 (hereinafter, the "Act"), and the Company is eligible to receive federal high-cost universal service support (hereinafter, the "Support") pursuant to Section 254(e) of the Act. The North Dakota Public Service Commission (hereinafter, the "NDPSC") has designated the Company as an eligible telecommunications carrier.
- 3. The Company serves 10 access lines within the boundaries of North Dakota and approximately 13,500 access lines within the boundaries of South Dakota.
- 4. Affiant is personally familiar with all of the Support received by the Company, and with how the Company uses all of Support that it receives.
- 5. The Company is filing this affidavit in compliance with the order of the Federal Communications Commission (hereinafter, "FCC") dated May 23, 2001 In Docket Number 96-45 (FCC 01-157) (hereinafter, the "Order"), as codified in 47 C.F.R. \* 54.314, which requires certification to the FCC that all federal Support will be used by carriers within each state only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, as required by Section 254(e) of the Act and 47 C.F.R. \* 54.7. The Company is also filling this affidavit in compliance with the Order of the NDPSC dated August 28, 2001 in Case No. PU-439-01-460. This affidavit is filed to facilitate the Company's receipt of federal Support for all four quarters of 2002, and for all quarters thereafter.
- 6. The Company hereby certifles that it will only use the Support that the Company receives during the four quarters of 2002 (and all quarters thereafter) for the provision, maintenance, and upgrading of facilities and services for which the Support is intended pursuant to and consistent with Section 254(e) of the Act and 47 C.F.R. \* 54.7. The Company will use the Support to support the following services, as designated in 47 C.F.A. \* 54.101, throughout the Company's study area; (a) voice grade access to the public switched network; (b) local usage; (c) dual-tone multi-frequency signaling or its

PU-439-01-460

48

Pages: 3

PU-439-01-460

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functional equivalent; (d) single-party service or its functional equivalent; (e) access to emergency services; (f) access to operator services; (g) access to interexchange service; (h) access to directory assistance; and (i) toll limitation for qualifying low-income consumers.

Dated this 4th day of September, 2001.

SULLY BUTTES TELEPHONE COOPERATIVE, INC. VENTURE COMMUNICATIONS, INC.

- Landell Dla

Randy W. Houdek

its: Manager

State of South Dakota )

) ss.

County of Hyde )

On this lot day of September, 2001, before me, a Notary Public in and for said County and State, personally appeared RANDY W. HOUDEK, known to me to be the Manager for SULLY BUTTES TELEPHONE COOPERATIVE INC./VENTURE COMMUNICATIONS, INC., the corporation that is described in and that executed the within instrument, and acknowledged to me that such corporation executed the same.

Muce K, Cole L, Notary Public

For the State of South Dakota

My commission expires: 3/28/2004

<b>State of Connecticut</b>	)	
	)	SS
County of Fairfield	1	

# CERTIFICATION BY ELIGIBLE TELECOMMUNICATION CARRIER PURSUANT TO FCC ORDER NO. 01-157

SEP 2 1 2001

### Affidavit of Business or Corporate Officer

FCC MAIL ROOM

Section 254(e) of the Telecommunications Act of 1996 requires that an eligible telecommunications carrier receiving federal universal service support "shall use that support only for the provision, maintenance, and upgrading of facilities and services for which the support is intended." In FCC Order No. 01-157 issued May 23, 2001, the Federal Communications Commission concluded "that states should be required to file annual certification with the Commission to ensure that carriers use universal service support 'only for the provision, maintenance and upgrading of facilities and services for which the support is intended' consistent with Section 254(e)." Fourteenth Report and Order, Twenty-Second Order on Reconsideration, and Further Notice of Proposed Rulemaking in CC Docket No. 96-45, and Report and Order in CC Docket No. 00-256, ¶187. Accordingly, the undersigned states and verifies under oath as follows:

- 1. I am an officer of Citizens Telecommunications Company of Minnesota, Inc. which is an eligible telecommunications carrier for receiving federal universal service support under Section 214(e) of the Telecommunications Act of 1996.
- 2. All federal universal service support funds received by Citizens Telecommunications Company of Minnesota, Inc. during the current calendar year will be used in a manner consistent with Section 254(e); that is, for the provision, maintenance, and upgrading of facilities and services for which the support is intended. The company will continue to comply for the period January 1, 2002, through December 31, 2002, to be eligible for federal universal service support.
- 3. This verification and affidavit is provided to the North Dakota Public Service Commission ("ND PSC") to enable the ND PSC to certify to the Federal Communications Commission that federal universal support received by the eligible carriers in the state will be used in a manner consistent with Section 254(e) of the Telecommunications Act.

<u>September 7, 2001</u>

Date

Signature

L. Russell Mitten

<u>Vice President, General Counsel & Secretary</u>

Print Name and Title

SUBSCRIBED AND SWORN to before me, a Notary Public, in and for the County of Fairfield and State of Connecticut, this  $\underline{7}^{th}$  day of  $\underline{September}$  2001.

Notary Public

My Commission expires May 31, 2004

Kelsch Kelsch Ruff & Kranda

C.F. Kelsch 1890-1987

THOMAS F. KELSCH, P.C. ARLEN M. RUFF, P.C. THOMAS D. KELSCH, P.C. TODD D. KRANDA, P.C.\* TIMOTHY J. WAHLIN, P.C. ROB FORWARD, P.C. WILLIAM J. DELMORE CYNTHIA WAGNER GOULET

\*Also Licensed in Minnesota

Attorneys at Law Mandan, North Dakota September 12, 2001 RECEIVED Website www.kelschlaw.com

William C. Kelsch Retired

103 Collins Avenue P.O. Box 1266 Mandan, ND 58554-7266 Phone (701) 663-9818 1-888-663-9818 Fax (701) 663-9810

SEP 2 1 2001 FCC MAIL ROOM

JON MIELKE, EXECUTIVE SECRETARY NORTH DAKOTA PUBLIC SERVICE COMMISSION 600 EAST BOULEVARD STE 408 BISMARCK, ND 58505-0480

> Certification of Western Wireless as a Local Exchange Carrier to FCC Pursuant to 47 CFR 54.313 and 54.314.

Dear Mr. Mielke:

Western Wireless received the PSC's Order concerning certification local exchange carrier to the FCC pursuant to 47 CFR 54.313 and 54.314.

The Order provided that the carrier must file an affidavit with the Commission by September 14, 2001, certifying that the federal support it receives is used only for the provision of maintenance and upgrading of facilities and services for which the support is intended as required by Section 254(e). The affidavit will be the basis for the PSC's certification to the FCC.

As you know, the PSC has an Order pending that will grant Western Wireless ETC status in certain listed rural areas in North Dakota. According to Illana Jeffcoat Sacco, this Order will be considered and hopefully approved at the Board's next meeting on September 19, 2001.

In anticipation of the PSC granting Western Wireless ETC status, Western Wireless plans on filing an affidavit with the PSC certifying that any federal support it will receive will only be used for the provision of maintenance and upgrading facilities and services for which the support is intended as required by Section 254(e). Western Wireless will also be asking the PSC to use the affidavit for the PSC's certificate to the FCC.

I am not sure if the affidavit will be able to be filed by September 14 due to problems relating to the recent terrorist acts, but it will be available before the hearing on the 19th. If this is not acceptable or if you have any questions please contact me.

Respectfully submitted,

Thomas D. Kelsch, Local Counsel

Western Wireless Corp.

TDK:ve

Western Wireless (fax)

47

PU-439-01-460

09/13/2001

Pages: 1

Response re certification

State of Connecticut	)		
	)	SS	
County of Fairfield	1		

# TELECOMMUNICATION CARROLL MESUANT TO FCC ORDER NO. 01-157

SEP 2 1 2001

### Affidavit of Business or Corporate Office FCC MAIL ROOM

Section 254(e) of the Telecommunications Act of 1996 requires that an eligible telecommunications carrier receiving federal universal service support "shall use that support only for the provision, maintenance, and upgrading of facilities and services for which the support is intended." In FCC Order No. 01-157 issued May 23, 2001, the Federal Communications Commission concluded "that states should be required to file annual certification with the Commission to ensure that carriers use universal service support 'only for the provision, maintenance and upgrading of facilities and services for which the support is intended' consistent with Section 254(e)." Fourteenth Report and Order, Twenty-Second Order on Reconsideration, and Further Notice of Proposed Rulemaking in CC Docket No. 96-45, and Report and Order in CC Docket No. 00-256, ¶187. Accordingly, the undersigned states and verifies under oath as follows:

- 1. I am an officer of Citizens Telecommunications Company of North Dakota which is an eligible telecommunications carrier for receiving federal universal service support under Section 214(e) of the Telecommunications Act of 1996.
- 2. All federal universal service support funds received by Citizens Telecommunications Company of North Dakota during the current calendar year will be used in a manner consistent with Section 254(e); that is, for the provision, maintenance, and upgrading of facilities and services for which the support is intended. The company will continue to comply for the period January 1, 2002, through December 31, 2002, to be eligible for federal universal service support.
- 3. This verification and affidavit is provided to the North Dakota Public Service Commission ("ND PSC") to enable the ND PSC to certify to the Federal Communications Commission that federal universal support received by the eligible carriers in the state will be used in a manner consistent with Section 254(e) of the Telecommunications Act.

September 7, 2001

Date

Signature

L. Russell Mitten

<u>Vice President, General Counsel & Secretary</u>

Print Name and Title

SUBSCRIBED AND SWORN to before me, a Notary Public, in and for the County of Fairfield and State of Connecticut, this  $\underline{7^{th}}$  day of  $\underline{September}$  2001.

Notary Public

My Commission expires May 31, 2004

### BEFORE THE NORTH DAKOTA PUBLIC SERVICE COMMISSION IN CASE NO. PU-439-01-460

### AND BEFORE THE FEDERAL COMMUNICATIONS COMMISSION IN DOCKET NO. 96-45

#### AFFIDAVIT OF HALSTAD TELEPHONE COMPANY REGARDING

CERTIFICATION OF USE OF FEDERAL UNIVERSAL SERVICE SUPPORT

State of Minnesota)

) ss.

County of Norman)

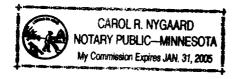
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SEP 2 1 2001

Ronald Laqua, being first duly sworn on oath, does hereby define and state upon affiant's own personal knowledge as follows:

- 1. Affiant is employed by Halstad Telephone Company (hereinafter, the "Company"), in the position of Manager.
- 2. The Company is an eligible telecommunications carrier within the meaning of Section 214(e) of the Federal Telecommunications Act of 1996 (hereinafter, the "Act"), and the Company is eligible to receive federal high-cost universal service support (hereinafter, the "Support") pursuant to Section 254(e) of the Act. The North Dakota Public Service Commission (hereinafter, the "NDPSC") has designated the Company as an eligible telecommunications carrier.
- 3. Affiant is personally familiar with all of the Support received by the Company and with how the Company uses all of Support that it receives.
- 4. The Company is filing this affidavit in compliance with the order of the Federal Communication Commission (hereinafter, "FCC") dated May 23, 2001 in Docket Number 96-45 (FCC 01-157) (hereinafter, the "Order"), as codified in 47 C.F.R. \*54.314, which requires certification to the FCC that all federal Support will be used by carriers within each state only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, as required by Section 254(e) of the Act and 47 C.F.R. \*54.7. The Company is also filing this affidavit in compliance with the Order of the NDPSC dated August 28, 2001 in Case No. PU-439-01-460. This affidavit is filed to facilitate the Company's receipt of federal Support for all four quarters of 2002, and for all quarters thereafter.
- 5. The Company hereby certifies that it will only use the Support that the Company receives during the four quarters of 2002 (and all quarters thereafter) for the provision, maintenance, and upgrading of facilities and services for which the

Support is intended pursuant to and consistent with Section 254(e) of the Act and 47 C.F.R. \*54.7. The Company will use the Support to support the following services, as designated in 47 C.F.R. \*54.101, throughout the Company's study area: (a) voice grade access to the public switched network; (b) local usage; (c) dual-tone multi-frequency signaling or its functional equivalent; (d) single-party service or its functional equivalent; (e) access to emergency services; (f) access to operator services; (g) access to interexchange service; (h) access to directory assistance; and (i) toll limitation for qualifying low-income consumers.

ton innution for qualifying tow-meonic consumers.
Dated this day of September 2001.
HALSTAD TELEPHONE COMPANY
By:
Its: General Manager
State of Minnesota )
) ss.
County of Norman)
On this _/// day of September, 2001, before me, a Notary Public in and for said County and State, personally appeared RONALD LAQUA, known to me to the General Manager of HALSTAD TELEPHONE COMPANY, the corporation that is described in and that executed the within instrument, and acknowledged to me that such corporation executed the same.
Carol R. Mygaard, Notary Public
For the State of Minnesota
My commission expires: <u>Junuary</u> 31, 2005



# AFFIDAVIT OF GRIGGS COUNTY TELEPHONE COMPANY REGARDING CERTIFICATION OF USE OF FEDERAL UNIVERSAL SERVICE SUPPLIED

State of North Dakota	)	SEP 2 1 2001
County of Griggs	) ss. )	FCC MAIL ROOM

Ray G. Brown, being first duly sworn on oath, does hereby declare and state upon affiant's own personal knowledge as follows:

- 1. Affiant is employed by Griggs County Telephone Company (hereinafter, the "Company"), in the position of Manager.
- 2. The Company is an eligible telecommunications carrier within the meaning of Section 214(e) of the Federal Telecommunications Act of 1996 (hereinafter, the "Act"), and the Company is eligible to receive federal high-cost universal service support (hereinafter, the "Support") pursuant to Section 254(e) of the Act. The North Dakota Public Service Commission (hereinafter, the "NDPSC") has designated the Company as an eligible telecommunications carrier.
- 3. Affiant is personally familiar with all of the Support received by the Company, and with how the Company uses all of Support that it receives.
- 4. The Company is filing this affidavit in compliance with the order of the Federal Communication Commission (hereinafter, "FCC") dated May 23, 2001 in Docket Number 96-45 (FCC 01-157) (hereinafter, the "Order"), as codified in 47 C.F.R. § 54.314, which requires certification to the FCC that all federal Support will be used by carriers within each state only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, as required by Section 254(e) of the Act and 47 C.F.R. § 54.7. The Company is also filing this affidavit in compliance with the Order of the NDPSC dated August 28, 2001 in Case No. PU-439-01-460. This affidavit is filed to facilitate the Company's receipt of federal Support for all four quarters of 2002, and for all quarters thereafter.
- 5. The Company hereby certifies that it will only use the Support that the Company receives during the four quarters of 2002 (and all quarters thereafter) for the provision, maintenance, and upgrading of facilities and services for which the Support is intended pursuant to and consistent with Section 254(e) of the Act and 47 C.F.R. § 54.7. The Company will use the Support to support the following services, as designated in 47 C.F.R. § 54.101, throughout the Company's study area: (a) voice

Dated this \_\_\_\_\_\_ day of September, 2001.

**GRIGGS COUNTY TELEPHONE** 

**COMPANY** 

Ray G. Brown

Its: Manager

State of North Dakota

County of County

On this 74 day of September, 2001, before me, a Notary Public in and for said County and State, personally appeared RAY G. BROWN, known to me to be the Manager of GRIGGS COUNTY TELEPHONE COMPANY, the corporation that is described in and that executed the within instrument, and acknowledged to me that such corporation executed the same.

For the State of North Dakota My commission expires:

> DEBORAH THIELGES Notary Public State of North Dakota My Commission Factors Open IS 2006

AFFIDAVIT OF MOORE AND LIBERTY TELEPHONE COMPANY REGARDING CERTIFICATION OF USE OF FEDERAL UNIVERSAL FROM THE PORT

State of North Dakota	)	SEP 2 1 2001
County of Ransom	) ss. )	FCC MAIL ROOM

Ray G. Brown, being first duly sworn on oath, does hereby declare and state upon affiant's own personal knowledge as follows:

- 1. Affiant is employed by Moore and Liberty Telephone Company (hereinafter, the "Company"), in the position of Manager.
- 2. The Company is an eligible telecommunications carrier within the meaning of Section 214(e) of the Federal Telecommunications Act of 1996 (hereinafter, the "Act"), and the Company is eligible to receive federal high-cost universal service support (hereinafter, the "Support") pursuant to Section 254(e) of the Act. The North Dakota Public Service Commission (hereinafter, the "NDPSC") has designated the Company as an eligible telecommunications carrier.
- 3. Affiant is personally familiar with all of the Support received by the Company, and with how the Company uses all of Support that it receives.
- 4. The Company is filing this affidavit in compliance with the order of the Federal Communication Commission (hereinafter, "FCC") dated May 23, 2001 in Docket Number 96-45 (FCC 01-157) (hereinafter, the "Order"), as codified in 47 C.F.R. § 54.314, which requires certification to the FCC that all federal Support will be used by carriers within each state only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, as required by Section 254(e) of the Act and 47 C.F.R. § 54.7. The Company is also filing this affidavit in compliance with the Order of the NDPSC dated August 28, 2001 in Case No. PU-439-01-460. This affidavit is filed to facilitate the Company's receipt of federal Support for all four quarters of 2002, and for all quarters thereafter.
- 5. The Company hereby certifies that it will only use the Support that the Company receives during the four quarters of 2002 (and all quarters thereafter) for the provision, maintenance, and upgrading of facilities and services for which the Support is intended pursuant to and consistent with Section 254(e) of the Act and 47 C.F.R. § 54.7. The Company will use the Support to support the following services, as designated in 47 C.F.R. § 54.101, throughout the Company's study area: (a) voice

Dated this 7th day of September, 2001.

MOORE AND LIBERTY TELEPHONE COMPANY

COMPANY

Ray G. Brown

Its: Manager

State of North Dakota ) ) ss.
County of Ransom )

On this 7 day of September, 2001, before me, a Notary Public in and for said County and State, personally appeared RAY G. BROWN, known to me to be the Manager of MOORE AND LIBERTY TELEPHONE COMPANY, the corporation that is described in and that executed the within instrument, and acknowledged to me that such corporation executed the same.

\_\_\_\_, Notary Public

For the State of North Dakota My commission expires:

DEBORAH THIELGES

Notary Public

State of North Dakota

My Commission Expires Dec. 19, 2006

AFFIDAVIT OF INTER-COMMUNITY TELEPHONE COMPANY II, LLC REGARDING CERTIFICATION OF USE OF FEDERAL UNIVERSAL SERVICE SUPPORT

State of North Dakota	)	RECEIVED
	) ss.	0.1.7001
County of Barnes	)	SEP 21 2007

Keith Andersen, being first duly sworn on oat received hereby declare and state upon affiant's own personal knowledge as follows:

- 1. Affiant is employed by Inter-Community Telephone Company II, LLC (hereinafter, the "Company"), in the position of Manager.
- 2. The Company is an eligible telecommunications carrier within the meaning of Section 214(e) of the Federal Telecommunications Act of 1996 (hereinafter, the "Act"), and the Company is eligible to receive federal high-cost universal service support (hereinafter, the "Support") pursuant to Section 254(e) of the Act. The North Dakota Public Service Commission (hereinafter, the "NDPSC") has designated the Company as an eligible telecommunications carrier.
- 3. Affiant is personally familiar with all of the Support received by the Company, and with how the Company uses all of Support that it receives.
- 4. The Company is filing this affidavit in compliance with the order of the Federal Communication Commission (hereinafter, "FCC") dated May 23, 2001 in Docket Number 96-45 (FCC 01-157) (hereinafter, the "Order"), as codified in 47 C.F.R. § 54.314, which requires certification to the FCC that all federal Support will be used by carriers within each state only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, as required by Section 254(e) of the Act and 47 C.F.R. § 54.7. The Company is also filing this affidavit in compliance with the Order of the NDPSC dated August 28, 2001 in Case No. PU-439-01-460. This affidavit is filed to facilitate the Company's receipt of federal Support for all four quarters of 2002, and for all quarters thereafter.
- 5. The Company hereby certifies that it will only use the Support that the Company receives during the four quarters of 2002 (and all quarters thereafter) for the provision, maintenance, and upgrading of facilities and services for which the Support is intended pursuant to and consistent with Section 254(e) of the Act and 47 C.F.R. § 54.7. The Company will use the Support to support the following services, as designated in 47 C.F.R. § 54.101, throughout the Company's study area: (a) voice

Dated this da	y of September, 2001.
	INTER-COMMUNITY TELEPHONE COMPANY II, LLC By
:	Keith Andersen Its: Manager
State of North Dakota	) ) ss.
County of Barnes	)
said County and State, per Manager of INTER-COMMU	of September, 2001, before me, a Notary Public in and for resonally appeared KEITH ANDERSEN, known to me to be the UNITY TELEPHONE COMPANY II, LLC, the corporation that is uted the within instrument, and acknowledged to me that the same.
	Lovanne Steidl
	, Notary Public
	For the State of North Dakota
	My commission expires:  ROXANNE STEIDL
	Notary Public, STATE OF NORTH DAKOTA  My Commission Expires JUNE 12, 2002

AFFIDAVIT OF INTER-COMMUNITY TELEPHONE COMPANY, LLC REGARDING CERTIFICATION OF USE OF FEDERAL UNIVERSAL SERVICE SUPPORT

State of North Dakota	)	HEULIT
olato of Horar Bakota	) ) ss.	SEP 2 1 2001
County of Barnes	)	ECC MAIL ROOM

Keith Andersen, being first duly sworn on oath, does hereby declare and state upon affiant's own personal knowledge as follows:

- 1. Affiant is employed by Inter-Community Telephone Company, LLC (hereinafter, the "Company"), in the position of Manager.
- 2. The Company is an eligible telecommunications carrier within the meaning of Section 214(e) of the Federal Telecommunications Act of 1996 (hereinafter, the "Act"), and the Company is eligible to receive federal high-cost universal service support (hereinafter, the "Support") pursuant to Section 254(e) of the Act. The North Dakota Public Service Commission (hereinafter, the "NDPSC") has designated the Company as an eligible telecommunications carrier.
- 3. Affiant is personally familiar with all of the Support received by the Company, and with how the Company uses all of Support that it receives.
- 4. The Company is filing this affidavit in compliance with the order of the Federal Communication Commission (hereinafter, "FCC") dated May 23, 2001 in Docket Number 96-45 (FCC 01-157) (hereinafter, the "Order"), as codified in 47 C.F.R. § 54.314, which requires certification to the FCC that all federal Support will be used by carriers within each state only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, as required by Section 254(e) of the Act and 47 C.F.R. § 54.7. The Company is also filing this affidavit in compliance with the Order of the NDPSC dated August 28, 2001 in Case No. PU-439-01-460. This affidavit is filed to facilitate the Company's receipt of federal Support for all four quarters of 2002, and for all quarters thereafter.
- 5. The Company hereby certifies that it will only use the Support that the Company receives during the four quarters of 2002 (and all quarters thereafter) for the provision, maintenance, and upgrading of facilities and services for which the Support is intended pursuant to and consistent with Section 254(e) of the Act and 47 C.F.R. § 54.7. The Company will use the Support to support the following services, as designated in 47 C.F.R. § 54.101, throughout the Company's study area: (a) voice

Dated this day of September, 20	001.
	INTER-COMMUNITY TELEPHONE COMPANY, LLC  By August A
	Keith Andersen Its: Manager
State of North Dakota ) ss.	
County of Barnes )	
On this 1 day of September, 2001 said County and State, personally appeared Manager of INTER-COMMUNITY TELEPHONE described in and that executed the within inst such corporation executed the same.	COMPANY, LLC, the corporation that is
	Rovanne Steedl
	, Notary Public
	For the State of North Dakota  My commission expires:
	wy commission expires
	ROXANNE STEIDL Notary Public, STATE OF NORTH DAKOTA My Commission Proires, II INF 12, 2002

AFFIDAVIT OF RESERVATION TELEPHONE COOPERATIVE REGARDING CERTIFICATION OF USE OF FEDERAL UNIVERSAL SERVICE SUPPORT

State of North Dakota	)	RECEIVED
	) ss.	
County Of Mountrail	)	SEP 2 1 2001

Gene D. Sloan, being first duly sworn on oath, does propagate upon affiant's own personal knowledge as follows:

- 1. Affiant is employed by Reservation Telephone Cooperative (hereinafter, the "company"), in the position of General Manager.
- 2. The Company is an eligible telecommunications carrier within the meaning of Section 214(e) of the Federal Telecommunication Act of 1996 (hereinafter, the "ACT"), and the Company is eligible to receive federal high-cost universal service support (hereinafter, the "Support") pursuant to Section 254(e) of the Act. The North Dakota Public Service Commission (hereinafter, the "NDPSC") has designated the Company as an eligible telecommunications carrier.
- 3. Affiant is personally familiar with all of the Support received by the Company and with how the Company uses all of Support that it receives.
- 4. The Company is filing this affidavit in compliance with the order of the Federal Communication Commission (hereinafter, "FCC") dated May 23,2001 in Docket Number 96-45 (FCC 01-157) (hereinafter, the "Order"), as codified in 47 C.F.R. § 54.314,which requires certification to the FCC that all federal Support will be used by carriers within each state only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, as required by Section 254(e) of the Act and 47 C.F.R. § 54.7. The Company is also filing this affidavit in compliance with the Order of the NDPSC dated August 28, 2001 in Case No. PU-439-01-460. This affidavit is filed to facilitate the Company's receipt of federal Support for all four quarters of 2002, and for all quarters thereafter.
- 5. The Company hereby certifies that it will only use the Support that the Company receives during the four quarters of 2002 (and all quarters thereafter) for the provision, maintenance, and upgrading of facilities and services for which the Support is intended pursuant to and consistent with Section 254(e) of the Act and 47 C.F.R. § 54.7. The Company will use the Support to support the following services, as designated in 47 C.F.R. § 54.101, throughout the Company's study area: (a) voice grade access to the public switched network; (b) local usage; (c) dual-tone multi-frequency signaling or its functional equivalent; (d) single-party service or its functional equivalent; (e) access to emergency services; (f) access to operator services; (g) access to interexchange service; (h) access to directory assistance; and (i) toll limitation for qualifying low income consumers.

Dated this  $\frac{14M}{2}$  day of September, 2001.

RESERVATION TELEPHONE COOPERATIVE

Gene D. Sloan

Its: General Manager

State of North Dakota)
County of Mountrail )ss

On this 201 day of September, 2001, before me, a Notary Public in and for said County and State, personally appeared Gene D. Sloan, known to me to be the General Manager of Reservation Telephone Cooperative, the corporation that is described in and that executed the within instrument, and acknowledged to me that such corporation executed the same.

ROYCE S. ASLAKSON Notary Public, STATE OF NORTH DAKOTA My Commission Expires DEC. 21, 2004

Page 2 of 2

AFFIDAVIT OF NORTH DAKOTA TELEPHONE COMPANY REGARDING CERTIFICATION OF USE OF FEDERAL UNIVERSAL SERVICE SUPPORT

State of North Dakota	)	RECEIVED
	) ss.	an a 1 2001
County of Ramsey	)	SEP 2 1 2001

Dave Dircks, being first duly sworn on oath, does hereby declare and state upon affiant's own personal knowledge as follows:

- 1. Affiant is employed by North Dakota Telephone Company (hereinafter, the "Company"), in the position of Manager.
- 2. The Company is an eligible telecommunications carrier within the meaning of Section 214(e) of the Federal Telecommunications Act of 1996 (hereinafter, the "Act"), and the Company is eligible to receive federal high-cost universal service support (hereinafter, the "Support") pursuant to Section 254(e) of the Act. The North Dakota Public Service Commission (hereinafter, the "NDPSC") has designated the Company as an eligible telecommunications carrier.
- 3. Affiant is personally familiar with all of the Support received by the Company, and with how the Company uses all of Support that it receives.
- 4. The Company is filing this affidavit in compliance with the order of the Federal Communication Commission (hereinafter, "FCC") dated May 23, 2001 in Docket Number 96-45 (FCC 01-157) (hereinafter, the "Order"), as codified in 47 C.F.R. § 54.314, which requires certification to the FCC that all federal Support will be used by carriers within each state only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, as required by Section 254(e) of the Act and 47 C.F.R. § 54.7. The Company is also filing this affidavit in compliance with the Order of the NDPSC dated August 28, 2001 in Case No. PU-439-01-460. This affidavit is filed to facilitate the Company's receipt of federal Support for all four quarters of 2002, and for all quarters thereafter.
- 5. The Company hereby certifies that it will only use the Support that the Company receives during the four quarters of 2002 (and all quarters thereafter) for the provision, maintenance, and upgrading of facilities and services for which the Support is intended pursuant to and consistent with Section 254(e) of the Act and 47 C.F.R. § 54.7. The Company will use the Support to support the following services, as designated in 47 C.F.R. § 54.101, throughout the Company's study area: (a) voice

Dated this 10th day of September, 2001.

By Dave Dircks
Its: Manager

State of North Dakota ) ss.
County of Ramsey )

On this 10th day of September, 2001, before me, a Notary Public in and for said County and State, personally appeared DAVE DIRCKS, known to me to be the Manager of NORTH DAKOTA TELEPHONE COMPANY, the corporation that is described in and that executed the within instrument, and acknowledged to me that such corporation executed the same.

SHARLENE A PORTER
Notary Public, State of North Dakota
My Commission Expires February 3, 200

Sharlene A. Porter , Notary Public For the State of North Dakota My commission expires: 02/03/04

AFFIDAVIT OF WEST RIVER TELECOMMUNICATIONS COOPERATIVE REGARDING CERTIFICATION OF USE OF FEDERAL UNIVERSAL SERVICE SUPPORT

State of North Dakota	) ) ss.	RECEIVED	
County of Mercer	)	SEP 2 1 2001	

Albert R. Grosz, being first duly sworn on oal Codd Albert Queclare and state upon affiant's own personal knowledge as follows:

- 1. Affiant is employed by West River Telecommunications Cooperative (hereinafter, the "Company"), in the position of Manager.
- 2. The Company is an eligible telecommunications carrier within the meaning of Section 214(e) of the Federal Telecommunications Act of 1996 (hereinafter, the "Act"), and the Company is eligible to receive federal high-cost universal service support (hereinafter, the "Support") pursuant to Section 254(e) of the Act. The North Dakota Public Service Commission (hereinafter, the "NDPSC") has designated the Company as an eligible telecommunications carrier.
- 3. Affiant is personally familiar with all of the Support received by the Company, and with how the Company uses all of Support that it receives.
- 4. The Company is filing this affidavit in compliance with the order of the Federal Communication Commission (hereinafter, "FCC") dated May 23, 2001 in Docket Number 96-45 (FCC 01-157) (hereinafter, the "Order"), as codified in 47 C.F.R. § 54.314, which requires certification to the FCC that all federal Support will be used by carriers within each state only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, as required by Section 254(e) of the Act and 47 C.F.R. § 54.7. The Company is also filing this affidavit in compliance with the Order of the NDPSC dated August 28, 2001 in Case No. PU-439-01-460. This affidavit is filed to facilitate the Company's receipt of federal Support for all four quarters of 2002, and for all quarters thereafter.
- 5. The Company hereby certifies that it will only use the Support that the Company receives during the four quarters of 2002 (and all quarters thereafter) for the provision, maintenance, and upgrading of facilities and services for which the Support is intended pursuant to and consistent with Section 254(e) of the Act and 47 C.F.R. § 54.7. The Company will use the Support to support the following services, as designated in 47 C.F.R. § 54.101, throughout the Company's study area: (a) voice

for qualitying low-income	Consumers.	
Dated this 5th	day of September, 2	2001.
		WEST RIVER TELECOMMUNICATIONS COOPERATIVE
		By Albert R. Grosz Its: Manager
State of North Dakota	) ) ss.	
County of Mercer	)	
F1.1		

On this 54 day of September, 2001, before me, a Notary Public in and for said County and State, personally appeared ALBERT R. GROSZ, known to me to be the Manager of WEST RIVER TELECOMMUNICATIONS COOPERATIVE, the corporation that is described in and that executed the within instrument, and acknowledged to me that such corporation executed the same.

For the State of North Dakota

My commission expires: 9/06/06

# AFFIDAVIT OF RED RIVER TELECOM, INTEGERATION OF USE OF FEDERAL UNIVERSAL SERVICE SUPPORT

		SEP 2 1 2001
State of North Dakota	) ) ss.	FCC MAIL ROOM
County of Richland	)	, 5 -

Ardon M. Doran, being first duly sworn on oath, does hereby declare and state upon affiant's own personal knowledge as follows:

- 1. Affiant is employed by Red River Telecom, Inc. (hereinafter, the "Company"), in the position of Manager.
- 2. The Company is an eligible telecommunications carrier within the meaning of Section 214(e) of the Federal Telecommunications Act of 1996 (hereinafter, the "Act"), and the Company is eligible to receive federal high-cost universal service support (hereinafter, the "Support") pursuant to Section 254(e) of the Act. The North Dakota Public Service Commission (hereinafter, the "NDPSC") has designated the Company as an eligible telecommunications carrier.
- 3. Affiant is personally familiar with all of the Support received by the Company, and with how the Company uses all of Support that it receives.
- 4. The Company is filing this affidavit in compliance with the order of the Federal Communication Commission (hereinafter, "FCC") dated May 23, 2001 in Docket Number 96-45 (FCC 01-157) (hereinafter, the "Order"), as codified in 47 C.F.R. § 54.314, which requires certification to the FCC that all federal Support will be used by carriers within each state only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, as required by Section 254(e) of the Act and 47 C.F.R. § 54.7. The Company is also filing this affidavit in compliance with the Order of the NDPSC dated August 28, 2001 in Case No. PU-439-01-460. This affidavit is filed to facilitate the Company's receipt of federal Support for all four quarters of 2002, and for all quarters thereafter.
- 5. The Company hereby certifies that it will only use the Support that the Company receives during the four quarters of 2002 (and all quarters thereafter) for the provision, maintenance, and upgrading of facilities and services for which the Support is intended pursuant to and consistent with Section 254(e) of the Act and 47 C.F.R. § 54.7. The Company will use the Support to support the following services, as designated in 47 C.F.R. § 54.101, throughout the Company's study area: (a) voice

Dated this 5th day of September, 2001.

RED RIVER TELECOM, INC.

For the State of North Dakota My commission expires: Aug.

Ardon M. Doran Its: Manager

State of North Dakota ) ) ss.
County of Richland )

On this 5<sup>th</sup> day of September, 2001, before me, a Notary Public in and for said County and State, personally appeared ARDON M. DORAN, known to me to be the Manager of RED RIVER TELECOM, INC., the corporation that is described in and that executed the within instrument, and acknowledged to me that such corporation executed the same.

LARRY H. BONTJES
Notary Public, Richland Co. N. Dak.
My Commission Expires Aug. 15, 2006
STATE OF NORTH DAKOTA
NOTARY PUBLIC SEAL

AFFIDAVIT OF RED RIVER RURAL TELEPHONE ASSOCIATION REGARDING CERTIFICATION OF USE OF FEDERAL UNIVERSAL SERVICE SUPPORT

State of North Dakota	)	SEP 2 1 2001	RECEIVED
County of Richland	) ss. )	FCC MAIL ROOM	Str > 1 /mit

FCC MAIL ROOM

Ardon M. Doran, being first duly sworn on oath, does hereby declare and state upon affiant's own personal knowledge as follows:

- 1. Affiant is employed by Red River Rural Telephone Association (hereinafter, the "Company"), in the position of Manager.
- 2. The Company is an eligible telecommunications carrier within the meaning of Section 214(e) of the Federal Telecommunications Act of 1996 (hereinafter, the "Act"), and the Company is eligible to receive federal high-cost universal service support (hereinafter, the "Support") pursuant to Section 254(e) of the Act. The North Dakota Public Service Commission (hereinafter, the "NDPSC") has designated the Company as an eligible telecommunications carrier.
- 3. Affiant is personally familiar with all of the Support received by the Company, and with how the Company uses all of Support that it receives.
- 4. The Company is filing this affidavit in compliance with the order of the Federal Communication Commission (hereinafter, "FCC") dated May 23, 2001 in Docket Number 96-45 (FCC 01-157) (hereinafter, the "Order"), as codified in 47 C.F.R. § 54.314, which requires certification to the FCC that all federal Support will be used by carriers within each state only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, as required by Section 254(e) of the Act and 47 C.F.R. § 54.7. The Company is also filing this affidavit in compliance with the Order of the NDPSC dated August 28, 2001 in Case No. PU-439-01-460. This affidavit is filed to facilitate the Company's receipt of federal Support for all four quarters of 2002, and for all quarters thereafter.
- 5. The Company hereby certifies that it will only use the Support that the Company receives during the four quarters of 2002 (and all quarters thereafter) for the provision, maintenance, and upgrading of facilities and services for which the Support is intended pursuant to and consistent with Section 254(e) of the Act and 47 C.F.R. § 54.7. The Company will use the Support to support the following services, as designated in 47 C.F.R. § 54.101, throughout the Company's study area: (a) voice

Dated this 5th day of September, 2001.

RED RIVER RURAL TELEPHONE ASSOCIATION

Ardon M. Doran Its: Manager

State of North Dakota ) ) ss.
County of Richland )

On this  $5^{t/h}$  day of September, 2001, before me, a Notary Public in and for said County and State, personally appeared ARDON M. DORAN, known to me to be the Manager of RED RIVER RURAL TELEPHONE ASSOCIATION, the corporation that is described in and that executed the within instrument, and acknowledged to me that such corporation executed the same.

LARRY H. BONTJES
Notary Public, Richland Co. N. Dak.
My Commission Expires Aug. 15, 2006
STATE OF NORTH DAKOTA
NOTARY PUBLIC SEAL

For the State of North Dakota

My commission expires: Hug 15, 200/